

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

VIRGINIA CICLE, on behalf of)
herself and all other Missouri)
Residents similarly situated,)
)
)
Plaintiffs,)
)
)
vs.) Case No. 07:4103-CV-C-NKL
)
)
CHASE BANK USA, N.A.,)
)
)
Defendant)

PROPOSED SCHEDULING ORDER

Comes Now, Plaintiff Virginia Cicle, by and through counsel, and for her Proposed Scheduling Order, state as follows:

1. Rule 26 Disclosures: Plaintiff suggests the parties exchange Rule 26 disclosures on or before March 3, 2008
2. Deadline to Join Parties or Amend Pleadings: Plaintiff suggests the deadline to join parties or amend pleadings be completed on or before June 2, 2008
3. Deadline to File Discovery Motions: Plaintiff suggests that the deadline to file motions related to discovery be filed on or before December 1, 2008.
4. Deadline to Complete Merits Discovery Plaintiff suggests that discovery related to the merits of the plaintiffs claim be completed by January 30, 2009.
5. Deadline to File For Expert Disclosure:
 - a. Plaintiffs deadline for filing expert disclosures are due on or before September 1, 2008.

- b. Defendant's deadline for filing expert disclosures are due on or before October 1, 2008.
6. Plaintiff proposes these deadlines with knowledge that Defendant filed a notice of appeal of this Court's Order denying defendant's Motion to Compel Arbitration and Stay Proceedings on February 8, 2008. Defendant's counsel has stated that it is their opinion that the filing of that appeal divests this Court of jurisdiction over the remainder of this case. Plaintiff disagrees with that position and has put forth this Proposed Scheduling Order so that discovery of the merits of Plaintiff's claim can begin. Plaintiff has agreed that any appeal will necessarily deal with the issues related to the class action status of this case and thus does not seek to do discovery that relates solely to class action issues at this time. However, Plaintiff does not feel that her ability to conduct discovery into the merits of her action should be limited in any way since she had the rights to conduct this discovery even under the arbitration agreement drafted by Defendant and which Defendant now seeks to have enforced. Therefore, Plaintiff respectfully requests that discovery as to the merits of the action be allowed to proceed while the Defendant appeals issues completely unrelated to the merits of the action.

/s/ Matthew A. Clement

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 19 day of February, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification to all CM/ECF participants and I hereby certify that I have mailed by U.S. Postal Service the documents to all non CM/ECF participants

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Attorneys for Def. Chase Bank

/s/ Timothy Van Ronzelen _____
Timothy Van Ronzelen